

Application No.: 09/505,913
Amendment dated: March 23, 2004
Reply to Office Action of: September 23, 2003

REMARKS

This amendment is responsive to the Office Action dated September 23, 2003. Claims 16-141 are pending in this application, all of which stand rejected. Claims 16-42, 45-72, 75-105, and 108-111 are rejected under 35 U.S.C. Section 103(a) as being unpatentable over Shavit et al., and further in view of Smith, and further in view of Filepp et al. At the outset, Applicant notes that the Examiner has combined three references, from distinct PTO classifications, which teaches away from a combination of the references as suggested by the Examiner. Furthermore, on pages 5 and 6 of the office action, the Examiner indicates that although *"Applicant again argues that the claims 'clearly establish that the party with which communication may be enabled is selected by the control system and not by the party initiating the communication....,' Applicant does not state what claim language recites this feature."* With respect to claim 16, Applicant points to the following recitation that emphasizes the above-noted distinction from the asserted art: utilizing the request data entered by the active buyer to locate a select vendor from a plurality of vendors identified to the control system, the control system upon locating the select vendor providing audio, dynamic video and text from at least said select vendor to said active buyer responsive to said commercial transaction data. With respect to claims 45, 77, and 109, Applicant notes that each of these claims recites exchange of EDI data, which limitation is not found in each of the references asserted by the Examiner. The remaining dependent claims are distinct by virtue of their dependency on the independent claims from which they depend.

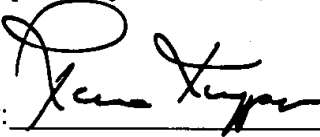
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Respectfully, Applicant urges the Examiner to reconsider her rejections in view of the above amendments and arguments. Favorable consideration and allowance of the claims pending here is respectfully requested.

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9220 Sunset Boulevard, Suite 303
Los Angeles, CA 90069
(310) 247-2860

Respectfully submitted,

By: 

Reena Kuyper
Registration No. 33,830